

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are pending in this application. Claims 2 and 9 are amended to address cosmetic matters of form. No new matter is added.

In the outstanding Office Action, Claim 2 was objected to; Claims 1-3, 5-11 and 13-18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sato (U.S. Patent No. 7,299,271) in view of Kyojima et al. (U.S. Patent No. 6,275,936, herein “Kyo”); and Claims 4 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Kyo and Dansie et al. (U.S. Patent No. 7,308,487, herein “Dansie”).

With respect to the objection of Claim 2, this claim has been amended to remove informalities. Thus, Applicants respectfully request the objection of Claim 2 be withdrawn.

Applicants respectfully traverse the rejection of Claims 1-3, 5-11 and 13-18 under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Kyo with respect to independent Claim 1, which recites in part:

receiving via a proxy device said acquire/use file that stores the content identification information and said attribute information of said content data sent by said acquire/use information providing device in response to the content data request, said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device.

Applicants respectfully submit that Sato in view of Kyo fails to teach or suggest each of the features of independent Claim 1. For example, Sato and Kyo whether taken individually or together do not teach or suggest “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device.”

Sato describes a content obtaining system which automatically downloads desired content from a communication network to a home system based on a command from a remote terminal.¹ The outstanding Office Action conceded that Sato “does not clearly disclose said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device.”² However, Applicants respectfully traverse the assertion in the Office Action that Kyo discloses this feature, and that it would have been obvious to one of skill in the art to combine the teachings of Sato and Kyo to achieve the presently claimed invention.³

Kyo describes a method and apparatus for encryption and decryption of digital data, and authentication of access rights to digital data or services, which applies the encryption and decryption of the digital data.⁴ Specifically, Kyo utilizes an access right authentication apparatus that includes a verification device 100, a proving device 200 and an access ticket generating device 300 to authenticate access rights of a user.⁵ Inside the verification device, security required information is generated and sent to the proving device which can include digital data such as fees for using the service.⁶ Additionally, Kyo goes on to state that a verification device 100 can be located at either a user’s PC or on a server to connect with the proving device 200.⁷ However, in either case, the verification device 100, the proving device 200 and the access ticket generating device 300 communicate directly, **without an intermediary (i.e. proxy) device.**

Conversely, the presently claimed invention is configured to receive, via a proxy device, an acquire/use file that includes content identification information and content

¹ See Sato at Abstract.

² See the outstanding Office Action at page 3, line 20 to page 4, line 2.

³ See the outstanding Office Action at page 4, lines 3-6.

⁴ See Kyo at column 1, lines 5-11.

⁵ Id. at column 11, lines 25-65.

⁶ Id. at column 12, lines 28-35.

⁷ Id. at column 13, lines 54-60.

attribute information stored in a data area such that no information is removed **when the acquire/use file passes through the proxy device.**

As such, Applicants respectfully submit that Sato in view of Kyo is completely silent regarding “receiving via a proxy device said acquire/use file that stores the content identification information and said attribute information of said content data sent by said acquire/use information providing device in response to the content data request, said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device,” as recited in Claim 1.

As independent Claim 6 recites similar method steps, independent Claims 9 and 14 recite a device with similar features, and independent Claims 17 and 18 recite a computer readable recording medium that, when executed by a processor causes the processor to perform steps wherein “said content identification information and content attribute information are stored in a data area such that no information is removed when the acquire/use file passes through said proxy device” independent Claims 6, 9, 14, 17 and 18 also patentably define over Sato in view of Kyo for at least the same reasons discussed above for Claim 1.

Thus, Applicants respectfully request the rejection of Claims 1-3, 5-11 and 13-18 under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Kyo be withdrawn.

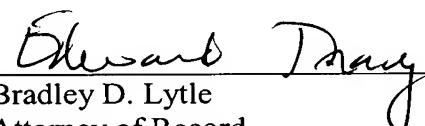
Applicants respectfully traverse the rejection of Claims 4 and 12 under 35 U.S.C. § 103(a) as unpatentable over Sato in view of Kyo and Dancie, because Claims 4 and 12 depend from independent Claims 1 and 9, respectively, and Dancie fails to supply the claimed features lacking in the disclosures of Sato and Kyo.

Accordingly, Applicants respectfully submit that independent Claims 1, 6, 9, 14, 17 and 18, and all claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle

Attorney of Record
Registration No. 40,073

Edward W. Tracy, Jr.
Registration No. 47,998

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

I:\ATTY\JTD\28S\283098US\283098US-AMD-DUE-1-21-09.DOC